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years without sign of weariness and with unfailing sympathy for the cause of progress. His own life, the part he has taken in questions of the day, assures us that his heart would be with those who in the past labored for better government and greater freedom, and he does not discuss historical problems with the chilly analysis of those who lose all human sympathy in their endeavor to trace the scientific evolution of humanity.

In his preface Mr. Smith refers to the fact that his task has been performed by the hand of extreme old age. Certainly, with advancing years, his hand has not lost its cunning, nor his mind its clearness. He has escaped the worst intellectual evils of age—the loss of sympathy with the present and the lack of confidence in the future. If his literary work is now ended, *The United Kingdom* will form an honorable close to a long and honorable career.

ROCHESTER, N. Y.

JAMES BRECK PERKINS.

The English Radicals. An Historical Sketch. By C. B. ROYLANCE KENT. London, New York and Bombay, Longmans, Green & Co., 1899. — xii, 451 pp.

English Political Philosophy, from Hobbes to Maine. By WILLIAM GRAHAM. London, Edward Arnold, 1899. — xxx, 415 pp.

In these two works the political ideas of Englishmen during recent centuries receive from different points of view a fairly exhaustive treatment. Mr. Kent's book covers the period from the middle of the eighteenth century to the present day, while Professor Graham's begins a century further in the past. Although, as the two titles indicate, the purpose of the former work is less comprehensive than that of the latter, to a considerable extent the subject-matter is identical. Professor Graham makes his work a study of the thought of Hobbes, Locke, Burke, Bentham, J. S. Mill and Maine. Of these six, Burke incidentally and Bentham and J. S. Mill as chiefs of Radicalism are treated pretty fully by Mr. Kent.

In method of treatment, however, the two works are widely different. In *The English Radicals* we have a certain degree of attention to the forms and changes of principle and dogma; but the work is, on the whole, a series of personal sketches, abounding in anecdotes and highly flavored with the conversational and Parliamentary *bon mots* on which the historians of English politics are so

fond of dwelling. From Wilkes, through Cobbett, "Orator" Hunt, Grote and the Mills, to John Bright, all the personages who became conspicuous in opposing the aristocratic government of England are put before the reader in a bright but rather scrappy way, without so much attention to their philosophy as unduly to divert the reader's interest from the clever things that were said by or about them.

Mr. Kent's scrapbook seems to have been so plethoric as to render really inexcusable the repetition of some of the quotations. On page 270, for instance, the remark of Burdett and Hobhouse, "that none but fools demanded pledges and none but fools gave them," is fresh and significant; on page 416 it sounds stale and flat. Exceptions may be taken, also, to Mr. Kent's division of his subject. He divides the book into three long chapters, covering respectively the periods 1761-1789, 1789-1831, and 1831 to the present. The historical basis of this division is obvious; but while the French Revolution and the Reform Bill marked epochs in Radicalism, as in all other social and political movements, there must surely be discernible in the history of the Radicals some more special and characteristic basis of classification, which would obviate the necessity of bracketing Bentham and James Mill with "Orator" Hunt, and John Stuart Mill with Feargus O'Connor. In short, the chronological division is rather crude and unsatisfactory, and a grouping of Radicals according to shades of doctrine and methods of propaganda would contribute much more to clearness of treatment.

Professor Graham's method of dealing with his subject is simple. He presents essays on the six thinkers mentioned above, and each essay consists of, first, an exposition of the writer's thought and, second, a criticism of that thought. The exposition embodies an analysis *in extenso* of the chief political writings of the respective authors. This branch of the work is thoroughly well and faithfully done. In the case of Bentham and Mill the author has possibly included in his analysis rather more of their voluminous output than was strictly necessary; and in a number of places throughout the work Professor Graham's conscientious effort to keep exposition and criticism entirely distinct temporarily fails, with the result that an injected comment gives rise to some confusion as to whose ideas the reader is dealing with. But these faults are venial, and they detract but very slightly from the substantial excellence of the work.

As to the critical side of the work, while the utmost respect is due to the candor and fairness of his comment, Professor Graham cannot, of course, expect a universal agreement with his judgments. In a

general way, I should feel that he did rather less than full justice to Bentham and Mill and, on the other hand, somewhat overrated Locke and Burke. The most fundamental dogmas on which his criticism rests are, first, the inherent truth of the theory of natural rights and natural law and, second, the scientific necessity of the historical method in political philosophy. Hobbes, therefore, is held lacking in having rejected the historical method, and Maine in having rejected natural law. On the other hand, each of these writers receives Professor Graham's enthusiastic approval, so far as they accept respectively the *other* of his fundamental dogmas.

The criticism of Hobbes might easily have been more favorable than it is, if the critic had treated the system of the *Leviathan* as abstract and universal philosophy, rather than as peculiarly applicable to England (*cf.* pp. 43, 44), and had recognized — what is so easily recognizable — that the doctrine of Hobbes as to the powers of sovereignty is almost unqualifiedly valid, when applied to the sovereign as distinct from the government and to all the forms of state rather than to monarchy alone (*cf.* pp. 25, 26). Locke's theory of the social contract the author regards as having its chief importance in suggesting that of Rousseau. As a consequence of this view, the character and influence of the French writer's work receive considerable attention. The close philosophical relation of Rousseau to Locke is beyond question; but Professor Graham's ideas as to the bearing of the former's work on the French Revolution are of too conventional a type to do him credit. To attribute to the "sovereign people" the taking of the Bastille, the maltreatment of the king and the other excesses of the Paris mob, and to lay the responsibility for these things exclusively or even chiefly upon the philosophy of the *Contrat Social* (p. 68), indicates a point of view more closely allied to that of Carlyle's rhapsody than to that of the historical method which the author so justly admires. A grossly exaggerated conception of the novelty and influence of Rousseau's theory is manifested throughout Professor Graham's work and constitutes a distinct weakness. On page 389, for example, the "*a priori* ideas deduced from the assumption of a state of nature and the law of nature," which Maine sought to clear away, are declared by the author to have "emanated from the speculations of Rousseau." And elsewhere the contract theory of the state and society is ascribed, so far as its greatest significance is concerned, to Rousseau's development of Hobbes and Locke. These views ignore entirely the fact that the concepts "natural law," "state of nature" and

"contract" had, even before Hobbes wrote, become so axiomatic in European political theory as to condition the speculations of all thinkers upon the subject. At the beginning of the seventeenth century Mariana, the Spanish Jesuit, described the state of nature in terms that form a startling anticipation of Rousseau; and Althusius, the German Protestant, elaborated a contract theory of society and government that left little to be filled in by his successors. It was not in the scope of Professor Graham's work to describe the thought of these men; but, if he had to go to the Continent at all, it was misleading and unscholarly to heap upon Rousseau alone the responsibility for a body of doctrine which was in fact centuries old and universal in his day. And it seems to me a further grave error in historical proportion to ignore the influence of Montesquieu upon the theory and practice of the revolutionary epoch. This is, indeed, only one phase of the author's general tendency to look upon the excesses of the mobs, both within and without the Convention, as philosophically the most characteristic facts of the French Revolution.

Of all the writers considered by Professor Graham, Maine receives perhaps the warmest approval, largely on account of his theoretical and practical adoption of the historical method. But in "the denial, express or by implication, of natural law (and natural justice)" lies, according to the author, the "great defect in Maine's conception of jurisprudence." The section (pp. 377-388) in which Professor Graham undertakes to show the error of Maine's doctrine manifests even a higher degree of vagueness and lack of analytical power than is usual in the support of "natural law." The "law of nature" is, according to Professor Graham, "the most important part" of the moral law.

It is pointed out by conscience or moral sense or moral perceptions, that particular part of the moral field which concerns justice, the rules of which can be laid down with greater precision than in the case of the other virtues, and which, provided they are fit to be enforced by the public sword, is natural law in a special sense.

This lucid description is followed by incoherence after incoherence, by hopeless jumbings of legal and ethical conceptions, and by inexplicable misinterpretations of all that the analytical jurists have thought or said. The section is a serious blemish upon an otherwise excellent book.

WM. A. DUNNING.